

Kentucky Gazette.

"True to his charge—he comes, the Herald of a noisy world; News from all nations, lumbering at his back."

D. BRADFORD, Editor.

LEXINGTON, SATURDAY, FEB. 6, 1836.

No. 5. Vol. 51

PRINTED WEEKLY
BY THO. T. BRADFORD,
FOR
DANL. BRADFORD,
[Publisher of the Laws of the U. States.]

PUBLISHING OFFICE, MAIN ST. A FEW DOORS BEYOND
LOW BRENNAN'S INN.

Printing Office at the old stand, Mill street.

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For one year in advance \$2 50
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Not paid at the end of 6 months 3 00
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Conclusion of the Documents referred to in the Special Message relative to the French Indemnity.

No. 3.—Mr. Barton to the Duke de Broglie

LEGATION OF U. S. OF AMERICA,
Paris, 24th Oct. 1835.

His Excellency Duke de Broglie,
Minister for Foreign Affairs.

MONSIEUR LE DUC: Having executed to the letter the last instructions of my Government, in the interview which I had the honor to have with your excellency on the 20th of this month, in order further to comply with those instructions, I am about to return to the United States. Before leaving France, however, I have thought that it might not be altogether useless to address your excellency, and to submit to you the conversation which then took place between us, word for word, as I understand it. In pursuing this course, I am prompted by a double motive; first, by a sincere desire to avoid even the slightest misunderstanding as to the precise meaning of any expressions used on either part; and also with a view, in presenting myself to my government, to furnish indisputable proof of my fidelity in executing the instructions with which I had the honor to be charged. This last motive, Monsieur le Duc, does not interest you personally, but the first, I am sure, will not appear without importance in your eyes.

Having said that I was instructed to employ both language and manner the most conciliatory, I begged you to believe, should any thing appear to you not to partake of that character, that the fault must be attributed to me alone, and not to my Government, as in that case I should be certain that I neither represented its dispositions nor faithfully obeyed its orders.

I began the conversation by informing you that I had requested an interview by order of my Government, and that on the result of that interview would depend my future movements. I said that I was ordered to convey to the French Government assurances of the very lively satisfaction felt by the President on receiving the news and confirmation of the King's safety; and that I was further instructed by the Secretary of State to assure you personally of his high consideration. After an obliging answer of your excellency, I had the honor to submit the following questions:

"I am instructed by my Government to inquire of your excellency what are the intentions of His Majesty's Government in relation to the funds voted by the Chambers?"

And I understood you to make the following answer:

"Having written a despatch to His Majesty's Charge d'Affaires at Washington, with instructions to communicate it to Mr. Forsyth, I have nothing to say in addition to the despatch."

I said "I am also instructed to inquire of your excellency whether His Majesty's Government is ready to pay those funds?"

And you returned this answer: "Yes, in the terms of the despatch."

I added, "I am instructed to add another question—Will His Majesty's Government name any fixed determinate period when they will be disposed to pay those funds?"

To this question, the following was your excellency's answer, as I understood it: "To-morrow, if necessary; when the Government of the United States shall, by a written official communication, have expressed its regret at the misunderstanding which has taken place between the two Governments; assuring us that this misunderstanding was founded on an error, that it did not intend to call in question the good faith of His Majesty's Government; the funds are there, we are ready to pay. In the despatch to M. Pageot, we gave the views

of our Government on this question.—Mr. Forsyth not having thought proper to accept a copy of that despatch, and having said that the Government of the United States could not receive a communication in such a form, I have nothing to add. I am forced to entrench myself behind that despatch. If the Government of the United States does not give this assurance, we shall be obliged to think this misunderstanding is not the result of an error, and the business will stop there."

To your excellency's offer to communicate to me the despatch to M. Pageot, I replied that, as my instructions had no reference to that question, I did not think myself authorized to discuss it.

After some minutes, I rose, and said, "In a short time I shall have the honor of writing to your excellency."

You answered, "I shall, at all times, receive with pleasure any communication addressed to me on the part of the Government of the United States," and our conversation ended.

Such, Monsieur le Duc, as far as my memory serves me, are the literal expressions employed by both of us. Should you discover any inaccuracies in the relation which I have the honor to submit to you, it will give me pleasure, as it will be my duty to correct them. If, on the contrary, this relation should appear to you in every respect conformable to the truth, I take the liberty of claiming from your kindness a confirmation of it for the reasons which I have already, I believe, sufficiently explained.

Your excellency's most obedient, humble servant,

THOMAS P. BARTON.

No. 4.—Duke de Broglie to Mr. Barton.

[TRANSLATION.]—E.

Paris, Oct. 26, 1835.

To T. P. Barton,
Charge d'Affaires of the U. S.

SIR: I have received the letter which you did me the honor to address to me on the 24th of this month.

You are desirous to give your Government a faithful account of the conversation which you had with me on the 20th; while communicating to me a statement of that conversation, you request me to indicate the involuntary errors which I may remark in it. I appreciate the motives which influence you, and the importance which you attach to the exactness of this statement; and I therefore hasten to point out three errors which have found their way into your report, acknowledging, at the same time, its perfect conformity on all other points, with the explanations interchanged between us.

In reply to your question—Whether the King's Government would name any fixed and determinate period at which it would be disposed to pay the twenty-five millions? you make me say, "to-morrow, if necessary: when the Government of the United States shall, by a written official communication, have expressed its regret at the misunderstanding which has taken place between the two Governments; assuring us that this misunderstanding is founded on an error, that it did not intend to call in question the good faith of His Majesty's Government," &c.

Now, this is what I really said: "To-morrow, to-day, immediately, if the Government of the United States is ready on its part to declare to us, by addressing its claim (reclamation) to us officially in writing, that it regrets the misunderstanding which has arisen between the two countries; that this misunderstanding is founded upon a mistake, and that it never entered into its intention (pensée) to call in question the good faith of the French Government, nor to take a menacing attitude towards France."

By the terms of your report, I am made to have continued thus: "In the despatch to M. Pageot, we gave the views of our Government on this question.—Mr. Forsyth not having thought proper to accept a copy of that despatch, and having said that the Government of the United States could not receive the communication in that form," &c. That was not what I said, because such was not the language of Mr. Forsyth to Mr. Pageot. On refusing the copy offered to him by that Charge d'Affaires, Mr. Forsyth gave as the only reason, that it was a document of which he could make no use; and that was the phrase repeated by me.

Mr. Forsyth made no objection to the form which I had adopted to communicate to the Federal Government the views of the King's Government; in fact, not only is there nothing unusual in that form; not only is it employed in the intercourse between one government and another, whenever there is a desire to avoid the irritation which might involuntarily arise from an exchange of contradictory notes in a direct controversy, but reflection on the circumstances and the respective positions of the two countries will clearly show that it was chosen precisely in a spirit of conciliation and regard for the Federal Government.

Finally, sir, after having said, "If the Government of the United States does not give this assurance, we shall be obliged to think that this misunderstanding is not the result of an error," I did not add, "and the business will stop there." The last error is, however, of so little importance, that I hesitated to notice it.

Receive, sir, the assurance of my high consideration,

V. BROGLIE.

No. 5.—Mr. Barton to Duke de Broglie.

F.

LEGATION OF U. S. OF AMERICA,
Paris, Nov. 6, 1835.

MONSIEUR LE DUC: Having been recalled by my Government, I have the honor to request that your excellency will be pleased to cause passports to be prepared, to enable me to proceed to Havre, thence to embark for the United States, and for my protection during the time I may find it necessary to remain in Paris. I am instructed to give as a reason for my departure the non-execution on the part of His Majesty's Government of the convention of July 4th, 1831.

I avail myself of this opportunity, Monsieur le Duc, to renew the assurances of very high consideration with which I have the honor to be, your excellency's most obedient, humble servant,

THO. P. BARTON.
His excellency, Duke de Broglie,
Minister of Foreign Affairs, &c.

No. 6.—Duke de Broglie to Mr. Barton.

[TRANSLATION.]

To Mr. Barton, Charge d'Affaires
of the U. States of America,
Paris, Nov. 8th, 1835.

SIR: Having taken His Majesty's orders with regard to your communication of the 6th instant, I have the honor to send you herewith the passports which you requested of me. As to the reasons which you have been charged to advance, in explanation of your departure, I have nothing to say, (Je n'ai point a m'y arreter.) The Government of the United States, sir, knows that upon itself depends henceforward the execution of the treaty of July 4th, 1831.

Accept, sir, the assurance of my high consideration.

V. BROGLIE.

No. 7.—Mr. Forsyth to M. Pageot.

DEPARTMENT OF STATE,

Washington, 29th June, 1835.

M. Pageot,
Charge d'Affaires, &c. &c.

SIR: I have the honor to acquaint you, for the information of your Government, that the Secretary of the Treasury has, in conformity with the provisions of the act of Congress of the 13th of July, 1832, designated the Messrs. de Rothschild, Brothers, of Paris, as agents to receive the payments from time to time due to this Government under the stipulations of the convention of 4th of July, 1831, between the United States and His Majesty the King of the French; and that the President has granted a special power to the said Messrs. de Rothschild, Brothers, authorizing and empowering them, upon the due receipt of the same, to give the necessary acquittances to the French Government, according to the provisions of the convention referred to.

The power given to the Messrs. de Rothschild will be presented by them whenever the French Government is ready to make the payments.

I have the honor to be, sir, your obedient servant,

JOHN FORSYTH.

No. 8.—M. Pageot to Mr. Forsyth.

[TRANSLATION.]

WASHINGTON, June 29, 1835.

To the Hon. Mr. Forsyth,
Secretary of State:

SIR: I have received the letter which you did me the honor to address to me this day, and by which you communicate to me, for the information of my Government, that the Secretary of the Treasury, in virtue of the act of Congress of July 13th, 1832, has appointed Messrs. de Rothschild, Brothers, at Paris, agents for receiving, as they become due, the several payments of the sum stipulated as indemnification, by the convention concluded on the 4th of July, 1831, between His Majesty the King of the French and the United States of America.

I lost no time, sir, in transmitting this communication to my Government; and I embrace this opportunity to offer you the assurance of the high consideration with which I have the honor to be, your most humble and obedient servant,

A. PAGEOT.

No. 9.—M. Pageot to Mr. Forsyth.

[TRANSLATION.]

WASHINGTON, Dec. 1, 1835.

To the Hon. John Forsyth,
Secretary of State of the U. S.
SIR: On the 11th of September last, I

had the honor, as I was authorized, to read to you a despatch which his excellency the Minister of Foreign Affairs had addressed to me on the 17th of June, previous, respecting the state of the relations between France and the United States. The object of this communication was to make known to the Cabinet of Washington, in a form often employed, the point of view from which the King's Government regarded the difficulties between the two countries, and to indicate the means by which, in its opinion, they might be terminated in a manner honorable to both Governments. I was also authorized to allow you, in case you should desire it, to take a copy of this despatch; but, contrary to the expectation which diplomatic usage in such cases permitted me to entertain, you thought proper to refuse to request it.

I regretted this resolution of yours, sir, at the time, because, in the first place, it appeared to be at variance with (s'écarter de) that conciliatory spirit which so particularly characterized the communication just made to you; and next, as it seemed in a manner to deprive the Cabinet of Washington of the means of knowing, in their full extent, the views of the King's Government, of which an attentive examination of the Duke de Broglie's letter could alone have enabled it to form a just estimate. These regrets, sir, have not diminished, and at the moment when the President is about to communicate to Congress the state of the relations between France and the U. States, I consider it useful and necessary, for the interests of all, to endeavor to place him in possession of all the facts which may afford him the means of giving an exact account of the real dispositions and views of the King's Government on the subject of the existing difficulties.

With this intention, and from a desire to neglect nothing which, by offering to the American Government another opportunity of making itself acquainted minutely with the highly conciliatory sentiments of His Majesty's Government, may contribute to restore good understanding between the Cabinets of Paris and Washington, I have the honor to transmit to you a copy of the Duke de Broglie's despatch, and to request you to place it under the eye of the President.

I embrace this opportunity, sir, to renew to you the assurance of the high consideration with which I have the honor, &c.

A. PAGEOT.

No. 10.—Mr. Forsyth to M. Pageot.

DEPARTMENT OF STATE,

Washington, 3d Dec. 1835.

SIR: I had yesterday the honor to receive your note of the 1st inst. with the accompanying paper, purporting to be a copy of a letter, addressed, under date of the 17th of June last, by his excellency the Duke de Broglie, Minister of Foreign Affairs of France, to yourself.

After referring to what occurred in our interview of the 11th of September, in regard to the original letter, and expressing your regrets at the course I then felt it my duty to take, you request me to place the copy enclosed in your letter under the eye of the President.

In allowing you, during that interview, to read to me the Duke de Broglie's despatch, which I cheerfully did, you were enabled to avail yourself of that informal mode of apprising this Department of the views of your Government in the full extent authorized by diplomatic usage. The question whether or not I should ask a copy of that despatch, was, of course, left as it should have been by your Government, exclusively to my discretion. My reasons for not making that request were frankly stated to you, founded on a conviction that, in the existing state of the relations between the two countries, the President would think it most proper that every communication upon the subject in difference between them, designed to influence his conduct, should, before it was submitted to his consideration, be made to assume the official form belonging to a direct communication from one Government to another, by which alone he could be enabled to cause a suitable reply to be given to it, and to submit it, should such a step become necessary, to his associates in the Government. I had also the honor, at the same time, to assure you, that any direct communication from yourself, as the representative of the King's Government, to me, embracing the contents of this despatch, or any other matter you might be authorized to communicate in the accustomed mode would be laid without delay before the President, and would undoubtedly receive from him an early and just consideration.

It cannot have escaped your reflections that my duty required that the circumstances of the interview between us should be reported to the President, and that the discovery of any error on my part in representing his views of the course proper to be pursued on that occasion would, without fail, have been promptly communicated to you. That duty was performed. The substance of

our interview, and the reasons by which my course in it had been guided, were immediately communicated to, and entirely approved by, him. I could not, therefore, have anticipated that, after so long a period had elapsed, and without any change in the condition of affairs, you should have regarded it as useful or proper to revive the subject at the time and in the form you have seen fit to adopt. Cordially reciprocating, however, the conciliatory sentiments expressed in your note, and in deference to your request, I have again consulted the President on the subject, and am instructed to inform you that the opinion expressed by me in the interview between us, and subsequently confirmed by him, remains unchanged; and I therefore respectfully restore to you the copy of it which you desired.

I am also instructed to say that the President entertains a decided conviction that a departure, in the present case, from the ordinary and accustomed method of international communication is calculated to increase, rather than to diminish, the difficulties unhappily existing between France and the United States, and that its observance in their future intercourse will be most likely to bring about the amicable adjustment of those difficulties on terms honorable to both parties. Such a result is sincerely desired by him; and he will omit nothing consistent with the faithful discharge of his duties to the United States, by which it may be promoted. In this spirit I am directed by him to repeat to you the assurance made in our interview in September last, that any official communication you may think proper to address to this Government, will promptly receive such consideration as may be due to its contents, and to the interests involved in the subject to which it may refer.

As the enclosed paper is not considered the subject of reply, you will allow me to add, for the purpose of preventing any misconception in this respect, that my silence in regard to its contents is not to be construed as admitting the accuracy of any of the statements or reasonings contained in it.

I have the honor to renew, &c.

JOHN FORSYTH.

No. 11.—Mr. Pageot to Mr. Forsyth.

[TRANSLATION.]

To the Hon. JOHN FORSYTH, Secretary
of State of the U. S.

WASHINGTON, Dec. 5, 1835.

SIR: I yesterday evening received the letter which you did me the honor to write to me on the 3d of this month; with it, you return to me the copy of a despatch which I had transmitted to you two days before, and the original of which was addressed to me on the 17th of June last, by his excellency the Minister of Foreign Affairs.

I will not seek, sir, to disguise from you the astonishment produced in me by the return of a document so very important in the present state of the relations between the two countries; neither will I undertake to reply to the reasons on which this determination of yours is based. My intention in communicating this document to you, in a form not only sanctioned by the diplomatic usages of all nations and all ages, but also the most direct which I could possibly have chosen, was to make known the real dispositions of my Government to the President of the United States, and through him to Congress and the American People; conceiving that, in the existing situation of the two countries, it was essential that each Government should fully comprehend the intentions of the other. This consideration appeared to me paramount to all others. You have judged otherwise, sir; and you have thought that, whatever might be the importance of a communication, it was proper, before receiving it, to examine whether the form in which it came to you was strictly accordant with the usages necessary, in your opinion, to be observed in diplomatic transactions with the Government of the Republic. I will not insist farther. I have fulfilled all the duties which appeared to be prescribed for me, by the spirit of reconciliation in conjunction with the respect due by me to all communications from my Government; and nothing more remains for me, than to express my deep regret that the misunderstanding between the two Governments, already so serious, should be kept up, not by weighty difficulties which involve the interests and the dignity of the two countries, but by questions of form, as uncertain in their principle as doubtful in their application.

I have the honor, sir, to renew to you the assurances of my high consideration.

A. PAGEOT.

No. 12.—M. Pageot to Mr. Forsyth.

[TRANSLATION.]

WASHINGTON, Jan. 2, 1836.

To the Hon. John Forsyth,
Secretary of State.

SIR: I have the honor to announce to you that, in consequence of the recall of Mr. Barton, the King's Government has given me orders to lay down the character of Charge d'Affaires of His Majesty near the Government of the United States. I shall, therefore, immediately begin the preparations for my return to France; but in the meantime, I think proper to claim the protection of the Federal Government during the period which I may consider it necessary to remain in the United States.

I have the honor to be, with the most distinguished consideration, sir, your most humble and obedient servant,

A. PAGEOT.

No. 13.—Mr. Forsyth to M. Pageot.

DEPARTMENT OF STATE,

Washington, Jan. 2, 1836.

M. Alphonse Pageot, &c.

SIR: I have the honor to acknowledge your note of this day's date, in which you announce that you have the order of your Government, given in consequence of the recall of Mr. Barton, to lay aside the character of Charge d'Affaires of the King of France near the Government of the United States. The protection of the Federal Government is due, and will, of course, be extended to you, during the time necessary for your preparations to return to France.

I am, sir, with great consideration, your obedient servant,

JOHN FORSYTH.



Dreamers Arouse!

A Valuable hint from Sylvester.

THE past year concluded with SYLVESTER'S having sold the Capital Prize of 25,000 DOLLARS.

In Grand Consolidated Lottery, class 45—a whole ticket—to a resident citizen—and has been productive of wealth and contentment to hundreds. The same opportunity presents itself. Look with attention to the truly Magnificent Schemes offered for February. It is impossible to prevent disappointment to numerous correspondents who from delay in writing early are deprived of these valuable chances. Sylvester therefore invites his friends and patrons to be early in their application, which alone can ensure them supply. Apply therefore without hesitation to

S. J. SYLVESTER.

130 Broadway, N. Y.

BRILLIANT SCHEME.
VIRGINIA STATE LOTTERY,
CLASS No. 4.

For the benefit of the Petersburg Benevolent Mechanic Association.

To be drawn at Alexandria, Va. Saturday
February 13, 1836.

SCHEME.

50 prizes of One Thousand Dollars!

25,000, 10,000,

4,000 dolls!—3,000 dolls!—2,000 dolls!

50 prizes of 1,000 dolls!—64 prizes

of 250 dolls!—56 of \$100, &c.

Tickets only Ten Dollars.

Certificate of a package of 22 whole tickets this Magnificent Scheme, may be had for \$120. Shares in proportion.

OBSERVE!!!

VIRGINIA STATE LOTTERY,

CLASS No. 4.

For the benefit of the Monongalia Academy.

To be drawn at Alexandria, Va. Saturday,
February 20, 1836.

SCHEME.

25,000 DOLLARS.

25 prizes of 1000 dolls!—25,000 Dollars!

—7,000 Dollars!—4,000 dolls!—2,500

dolls!—2,000 dolls!—1,486 dolls!—

25 prizes of 1,000 dolls!—10 of \$300—

10 of 200 dolls!—89 of 150 dolls! &c.

Tickets, 8 dollars; Shares in proportion.

A certificate of a package of 22 whole tickets will be sent for 100 Dollars.—Packages of Shares in proportion.

MAMMOTH SCHEME!

30,000 DOLLARS

100 prizes of One Thousand Dolls!

VIRGINIA STATE LOTTERY,

CLASS No. 5.

For the benefit of the Petersburg Benevolent Mechanic Association.

To be drawn at Alexandria, Va. Saturday,
February 27, 1836.

CAPITALS.

30,000 Dollars!!

\$8,000!—\$4,000!—\$3,000!—\$2,500

1,017 dolls!—100 of 1,000 dolls!—10

of 500 dolls!—20 of 300 dolls!—84 of

200 dolls! &c. &c.

Tickets only Ten Dollars.

A Certificate of a package of whole tickets will be sent for \$130. Halfes, Quarters and Eighths in proportion.

GAZETTE.

The Starspangled Banner, long may it wave
O'er the Land of the Free and home of the brave."

NATIONAL NOMINATION!!

FOR NEXT PRESIDENT,
Martin Van Buren,
OF NEW YORK.

FOR VICE PRESIDENT,
Richard M. Johnson,
OF KENTUCKY.

From the Globe.

THE DUC DE BROGLIE'S LETTER.

It will be seen that Mr. Pageot, before leaving our shores, has given publicity to the French Minister's letter. This paper, not being addressed to our Government, could not be responded to by a direct communication to the French authorities. The French Executive—by the recall of his representative, Mr. Serrurier, and by the express declaration of one of the members of the cabinet to the Chambers, that he had closed all direct diplomatic communication between the Governments—had given the world to understand, that the intercourse thereafter to be held would not be immediate and official, as between the Heads of the Governments. That letter to Mr. Pageot, therefore, was informal—a circuitous intimation of the expectations of France. It was to be considered by him, a private, a confidential communication, of which the American Administration might avail itself, if it deemed proper to approach an adjustment of our difficulties. It will not be said, we presume, by any American, that after the door of direct communication had been closed between the French and American Executive, by the former, that the latter should have condescended to make a communication to Mr. Pageot, and attempted to satisfy him, by groping through the indefinite letter of the Duke de Broglie for an idea of the apology, which, it now appears, was to be tendered as a condition precedent to the payment of the indemnity. If this sacrifice of the dignity of the Chief Magistrate of the Union had been resolved upon, we now see from the Duke's voluntary declaration to Mr. Barton, when the inquiry was made as to his determination about the payment of the indemnity, that it would not have been held sufficient. No informal, verbal explanation, such as the intercourse between Mr. Forsyth and Mr. Pageot alone permitted—nothing even which Mr. Forsyth could have addressed in writing informally to Mr. Pageot, in reference to his informal communication, would have been received as adequate. We now see from the note of the Duke de Broglie to Mr. Barton, that nothing short of an explicit declaration of the confidence in the good faith of the French Government, and a disavowal of an intention to menace the Government, on the part of the United States, "ADDRESSING ITS RECLAMATION TO US (the French Government) OFFICIALLY IN WRITING," and accompanied with the sorrowful assurance, "THAT IT REGRETS THIS MIS-UNDERSTANDING," would have sufficed. And what a figure would our Republic have made in the eyes of the world, if, in addition to the express disavowal of the message which it is pretended contained the menace—if, in addition to Mr. Livingston's first letter of 27th January, 1835, approved by the President, stating that the sincerity of the French Government was not doubted, and that no menace was intended—if, in addition to Mr. Livingston's letter of the 25th of April last, to the Duke de Broglie, reiterating the assurance of the first—communicating the President's approbation of its explanation—and repeating them—if, in addition to all this, the President had consented to repeat these explanations to the French Charge d'Affaires, what would have been the posture of our Government if it had repeated them in vain? that they must have been repeated in vain is now clear. Nothing but a direct communication of regrets, officially and in writing, to a government which had closed, on its part, all direct diplomatic intercourse with us, would have been received; and if they had been tendered in conversation held by Mr. Pageot with Mr. Forsyth, it is apparent that the Charge must have declined considering them as sufficient. He would have said, my instructions give me to understand that your explanations and the expression of your regrets must be addressed to my government officially and in writing.

The President of the United States, as appears from his message, wisely resolved to take no part in the semi-official, subordinate game of diplomacy proposed to him. He has no art but simple honesty—he seeks no end which may not be attained by plain and round dealing. For all the courtesy reported to him as contained in the paper of the Duke de Broglie to Mr. Pageot, Mr. Forsyth was authorized to return courtesy. Mr. Forsyth heard it read with the utmost complaisance—but as it was not addressed to him he could not respond to it; and as he could not respond to it, he did not request a copy—but at the same time assured Mr. Pageot "that any direct communication from him as the representative of the King's government to me (Mr.

Forsyth,) embracing the contents of this despatch, &c. would receive an early and just consideration." Mr. Pageot, it seems, declined this overture, because, doubtless, he was instructed not to open the direct diplomatic intercourse between the two Governments, which had been closed by the King's order. But if the Duke de Broglie's object in having the contents of his letter to Mr. Pageot made known to this Government were only to have it understood, that "It did not ask for explanations; it was contented to expect them from the justice of the Government of the United States, and from the ancient friendship of the American nation, not doubting that the Government of the United States would appreciate the difference in such cases, between answering and interpellation, and preventing, by a spontaneous determination, by explanations readily offered, a misunderstanding always to be regretted"—has not this object been attained? Has not the President, in justice to his misconceived message, and from a regard to truth, in his last message, (a message delivered long since the French Minister said he would not ask for explanations, but hoped they would readily be offered) declared, "The conception that it was my intention to menace or insult the Government of France, is as unfounded as the attempt to extort from the fears of that nation what her sense of justice may deny, would be vain and ridiculous?" Has he not said, also, in the same message, that Mr. Livingston, in his letter of the 25th of January, "had repeated the disavowal contained in the message itself of any intention to intimidate by menace,"—that "he truly declared that it contained, and was intended to contain, no charge of ill faith against the King of the French?" And does he not conclude by saying, that this direct and clear declaration had "his full approbation?"

If, then, a simple correction of the misconception of the French public was all that the French Chambers sought by their proviso, or the minister by his letter, they have it. They have nothing to do but to look into the same vehicle wherein they found the cause of offence, to find an absolute denial of the intention of which alone it was supposed to consist. The intention is disavowed—the whole object is explained, and every pretext of menace to the nation or personal insult to the King is dissipated.

But is there not reason to believe that the Duke de Broglie had something else in view in his letter, than obtaining "a spontaneous" correction of the misunderstanding growing out of the general impression made by the message? He says of this paper:

"If we examine in detail the message of the President of the United States, (I mean that part of it which relates to the relations between the United States and France) it will possibly be found, that passing successively from phrase to phrase, none will be met that cannot bear an interpretation more or less plausible; none, of which, strictly speaking, it cannot be said that it is a simple expose of such or such a fact, true in itself, or the assertion of such or such a right, which no one contests, or the performance of such and such an obligation, imposed on the President by the very nature of his functions. There will certainly be found several in which the idea of impeaching the good faith of the French Government, or acting upon it through menace or intimidation, is more or less disavowed."

Here the Duke admits that there is nothing in the phrases—facts—or assertions of the message, not reconcilable to propriety—and after saying that "it is not so, or at least we hope it is not so," he adds:

"But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, this or that allegation, this or that expression; we contend about the intention itself, which has dictated that part of the message. If it be true that the President of the United States, in presenting to Congress a statement of the facts connected with the treaty of the 4th July, had no intention to cast a doubt on the good faith of the French Government; if it be true that the President of the United States, in proposing to Congress to decree the seizure, by force of arms, of French property, had not the intention to assume with regard to France a menacing attitude, we cannot see how he could find any difficulty in declaring it."

Well, he has declared it—declared it officially, and in the same form and in the same sort of paper in which the menacing attitude was supposed to be discovered—and now we learn through the voluntary communication of the French minister to Mr. Barton, that something else was expected.

That something else was expected is evident, too, from the use which Mr. Pageot has made of the Duke's letter. He has seen the President's message, and knows that it contains all that is necessary to correct the misunderstanding of the first message; but it does not recognise the right of the French Government to interfere in our domestic councils, or the right to hold the nation responsible for the recommendation of an act by one of its functionaries, which could only be sanctioned by the legislative power, and thus made to operate on foreign powers. It does not express sorrow, regret, or contrition. It is not addressed by Andrew Jackson to Louis Philippe officially, in writing—although, it seems, all this is required, yet nothing like it is to be found in the Duke's letter. That letter, if it had been merely designed privately and confidentially to communicate to the American Executive what would be negotiable to France, would have explained itself fully. But it seems not to have been intended merely as an intimation, informal, but full and frank, to enable those for whose eye it was intended to measure the whole scope of its author's aim—on the contrary it appears to be an artful diplomatic paper, intended to disguise the real objects of its author, and meant to operate on the American people—not the American Executive. Why did Mr. Pageot, instead of leaving this paper after it was read by him to the Secretary of State to have its salutary influence upon the American Administration, impart the contents of this confidential despatch to the enemies of the Administration? Why was this document put into the hands of a Senator, & made the text for the opposition in that body, and the theme of its editorial organ, on which to predicate a charge against the Government of having rejected pacific overtures?

When Mr. Pageot first communicated this paper to us, we considered it as a paper designed to propitiate, by the courtesy and kind temper displayed in certain portions of it, a conciliatory feeling among those desirous of seeing the Administration disembarassed of the difficulty produced by the failure of France to comply with the treaty. But when we found that Mr. Pageot had committed his counsels to those who had produced the false impression with regard to the first message of which the French ministry complained—when we found that the French Government insisted upon a species of explanation not hinted at in the private letter of the Duke, which Mr. Pageot was busy in making public, and perverting to the purpose of deceiving some into the belief, that the French feeling was altogether pacific; when in fact, the French Government had resolved on requiring what it knew, upon the authority of Mr. Livingston's letter, as approved by the President, was altogether inadmissible—and when, lastly, we find Mr. Pageot, on the eve of his departure, publishing this letter as an appeal to the American people, we cannot doubt that it is the object now, however it was at first intended, to make this letter a cover for the hostile designs meditated by France, and a sort of shelter for the opposition in this country—those at least, who will consent to become the allies of France.

DUC DE BROGLIE'S LETTER.

Translated for the New York Journal of Commerce.
PARIS, 17th June, 1835.

SIR: There no longer exists on our part any obstacle to the entire accomplishment of the treaty concluded on the 4th of July, 1831, between France and the United States. The project of law relative to the indemnities reciprocally stipulated in that treaty, after having successively passed the two Chambers, has received the royal sanction.

I say on our part; for every thing now depends on the Government of the United States: it belongs to them to remove the only obstacle that still subsists. By virtue of a clause inserted in Art. 1st by the Chamber of Deputies, the French Government must defer making the payments agreed upon, until that of the United States shall have explained the true meaning and real purport of divers passages inserted by the President of the Union in his message at the opening of Congress, and at which all France at the first aspect was justly offended.

The Government having discovered nothing in that clause at variance with its own sentiments, or the course which it had intended to pursue; the project of law, thus amended on the 18th of April by the Chamber of Deputies, was carried on the 27th to the Chamber of Peers. I herewith annex the expose which accompanied it. That document will show you, in a few words, in what light we consider the respective conditions of the two countries. I also annex the report of the committee, presented to the Chamber of Peers, on the 5th of June. You will thereby see how far that House concurred in the opinion of the Chamber of Deputies.

Mr. Livingston has left Paris, without waiting for the vote of the Chamber of Peers, leaving Mr. Barton as Charge d'Affaires. The letter by which he accredited him to the French Government, is of the 28th of April. You will find a copy of it subjoined.

In a note dated 27th, Mr. Livingston assigns as the cause of his departure, the silence observed by the French Government in relation to a previous note of the 18th, in which that minister, agreeably to orders from his government, demanded the explanation of an expression made use of by Mr. Serrurier, in a note he passed to Mr. Forsyth at the time he left. That explanation, sir, we will show ourselves very willing to furnish, if it should be asked for again, when we ourselves shall have received those which we have a right to expect.

Annexed are copies of the two notes of the 18th and 27th.

On the 25th, Mr. Livingston had addressed to me a third note of great length, in which, whilst he forbears making allusion to the amendment introduced by the Chamber of Deputies, he fully enters into its principle and probable consequences, as you may ascertain by reading that paper. As long as the amendment was but a simple project, the initiative of which did not even belong to the Government, I thought proper to abstain from entering into any controversy on this subject with the minister of a foreign government. Now that that project has become a law by the concurrence of the two Chambers, and the sanction of the King, it is my duty to justify it against objections which are utterly groundless.

I shall first recall a few facts.

The project of law relative to the execution of the treaty signed on the 4th July, 1831, had been presented three times to the Chamber of Deputies, viz: the 6th of April, 1833; the 11th of June of the same year, and the 13th of January, of the year following, when it was rejected by a majority of 8 votes, on the 1st April, 1834.

The news of its rejection was known at Washington on the 6th of May, thro' a packet which sailed from Liverpool on the 6th April.

On the 4th of June, Mr. Serrurier informed the Secretary of State, that the King's Government had determined to present anew the project of law at the next session of the Chambers. The loss of the bill having occasioned the resignation of the Minister who had signed it, and this circumstance having caused different changes in the Cabinet, the Government could not definitely adopt that determination until the 8th of April.—The brig Le Curassier, bearer of new instructions to Mr. Serrurier, had more-over met with a long and stormy passage.

At the express request of Mr. McLane, then Secretary of State, Mr. Serrurier communicated, the next day, in writing, the declaration which he had already made verbally. His note is dated the 5th of June.

The reply of Mr. McLane is of the 27th. In this reply, Mr. McLane states in express terms, in the name of his Government, that the President of the United States will rely on the assurance Mr. Serrurier has been instructed to give him, and will wait hereafter with confidence for the appeal that is to be made to the new Chamber.

Mr. Serrurier, in his note of the 5th of June, had incidentally observed that it was the intention of the French Government to present again the rejected law as early a period as our Constitution would permit. That intention was real; our desire was sincere, but it naturally followed from the very nature and terms of the engagement, that it referred to no particular and fixed period; that it was left dependent either upon the different exigencies of our internal situation, or upon the object which both governments were equally anxious to obtain.

In the month of August, the Chambers were assembled, but merely for form, and for the sole purpose of complying with the provisions of the 42d article of the charter. No project of law was either presented or discussed.

Mr. Livingston at Paris, and the President of the United States at Washington, having seemed to regret that the opportunity of this accidental meeting had not been embraced, to place again before the Chambers the project of the law relative to the treaty of the 4th of July, it was easy to make them understand, that in acting with that precipitancy, we would not only have departed from all established usage, but compromised, instead of securing the passage of the law.

The same considerations were very naturally opposed to the request made at a subsequent period by Mr. Livingston for a special session in the fall. That minister must no doubt have urged them with his Government, since the latter showed itself entirely convinced of their validity and justness.

The new Secretary of State, Mr. Forsyth, said in the month of October to Mr. Serrurier, the President readily understands why this business has not been taken up at the opening of the session in August; he can now account for the fact, that the demand made by Mr. Livingston of a special session in the fall was declined. Mr. Forsyth, it is true, added that the President could not understand why the convocation of the Chambers had been delayed until the last days of December, instead of the beginning of that month. But that observation falls before the fact, that, by a concurrence of particular circumstances on which it would be useless to dwell, this meeting of the Chambers did in reality take place on the 1st December.

Nothing, consequently, could prepare the French Government for the language of the message sent by the President to Congress. We were aware that that message would contain a statement of the transactions connected with the treaty of the 4th of July. Mr. Forsyth noticed, on the 19th of November, given notice of it to Mr. Serrurier. But Mr. Forsyth had at the same time informed that minister, that the President would simply advise Congress to wait for the decision of the Chambers.

What must then have been our astonishment when the message reached this side of the Atlantic! And could it be expected that the French Government, after having fulfilled the double duty of satisfying its own dignity by recalling its minister from Washington, and of re-deeming the faith of treaties by obtaining from the Chambers the appropriation necessary to the completion of the Convention of the 4th of July; after having tendered to the minister of the United States his passports—could it be expected, I repeat, that the French Government would not wait before it resumed any communication on the subject with the Government of the Union; and before it renewed with it the interrupted relations that the latter would come forward and express itself in terms calculated to dispel the unfortunate interruptions to which the message had given rise.

Such is in fact and in substance the course which the amendment introduced by the Chamber of Deputies has pointed out to the Government; such is the course which the Government intended to have pursued, even if the law had not made it their duty.

Nevertheless, it is against this course,

so simple, so reasonable, that Mr. Livingston seems to wish to protest before-hand.

Mr. Livingston fully admits in his note of the 27th of April, the right of foreign Governments, to take proper exception to the acts and language of the Government which he represents.

"Should the President," he observes, "do an official executive act affecting a foreign power, or use exceptional language in addressing it through his minister, or through theirs; should a law be passed injurious to the dignity of another nation, in all these, and other similar cases, a demand for explanation would be respectfully received, and answered in the manner that justice, and regard to the dignity of the complaining nation would require."

But he maintains that these principles, the wisdom of which is evident, are not applicable to an act by which the President, sole representative of the nation towards foreign powers, gives to Congress an account of the situation of foreign relations.

"The utmost freedom," says Mr. Livingston—"the utmost freedom from all restraint in the details into which he is obliged to enter, of international concerns, and of the measures in relation to them, is essential to the proper performance of this important part of his functions. He must exercise them without having continually before him the fear of offending the susceptibility of the powers whose conduct he is obliged to notice."

"Were any foreign powers," continues Mr. Livingston, "permitted to scan the communications of the Executive, their complaints, whether real or affected, would involve the country in continual controversies; for the right being admitted, it would be a duty to exercise it, by demanding a disavowal of every phrase they might deem offensive, and an explanation of every word to which an improper interpretation could be given. The principle therefore, has been adopted, that no foreign power has a right to ask for explanations of any thing that the President, in the exercise of his functions, thinks proper to communicate to Congress or of any course he may advise them to pursue."

We cannot, sir, admit such a principle; we cannot admit it, at least without condition or limit, in an absolute, general, and preemptory sense.

It does not depend upon a nation from the mere fact of its having adopted such or such a form of government, to acquire with regard to foreign powers, more rights than it would have had, or to arrogate to itself other rights than those which it would have enjoyed under any other form of Government.

Nations are free to choose, without any constraint, the Government they please—precisely for this reason, and under this condition, that such a choice concerns them exclusively, and that whatever that choice may be, it cannot effect the rights, or injure the legitimate interests of other nations.

Now it is the acknowledged right of every Government, when the legal representative, or when the official organ of another Government, expresses himself publicly in reference to it, in language which is deemed offensive, to demand an explanation of it. Such a right the Constitution of the United States can neither abolish, modify nor restrict. It is an international right, (un droit international) It suits the people of the United States to divide the power of the Union between the President and Congress? Be it so. It suits them to oblige the President to give publicity to Congress an account of the state of foreign relations. Their right is unquestionable. But that the President of the United States, the official organ, the legal representative of the Union towards foreign nations, thereby acquires the right to press himself publicly upon foreign Governments in language offensive to those Governments; that he should, in asserting the liberty, the freedom necessary for such communications, dispense with all reserve in his language, and with all responsibility towards the powers whom that language concerns, is what we cannot admit.

Irresponsibility (l'inviolabilite) whether it relates to persons, to acts, or to words, irresponsibility when it is legally established, is a pure national institution, a purely internal regulation, and can never be used as an argument in the intercourse which Governments hold with each other. If it were otherwise, and if we were disposed, after the example of Mr. Livingston, to carry the argument to its extreme consequences, it might be maintained that the President of the United States has the right, provided it be in a message to Congress, to impute publicly to foreign Governments, and to foreign nations the most odious acts, the most perverse intentions; to hold them up publicly to the animadversion of the world, without these governments or these nations having the right to manifest the slightest resentment, since, according to this very strange doctrine, they would not even be allowed to take official notice of it.

To state such a doctrine, is to refute it. However, sir, we do not wish to exaggerate any thing. Mr. Livingston is perfectly right when he says that the cause which he supports, is, in a general sense, common to all free countries: That all Governments founded on the division of power, and on the publicity of debates, have an interest in repelling, on the part of foreign powers, any interference with the communications which the Prince and his ministers, in constitutional monarchies, and in republics the magistrates entrusted with the ex-

ecutive power, are called upon to make to the legislature. And this is the reason, as Mr. Livingston very judiciously observes, that in France and in England, the language of the royal speeches is so reserved in its relations; and it is the same motive, as you will observe, sir, to the Cabinet of Washington, that has directed the conduct of France in relation to the message of President Jackson. If the expressions contained in that message had been inserted in a proclamation, or any other act of the executive power of the Union, we would at once have called for an explanation. Out of respect for the very nature of the act, the French Government deemed it a duty to manifest the sentiments it felt on that occasion, by instantly recalling its minister, and stating in a communication the motives for that recall; but it did not ask for explanations; it was contented to expect them from the justice of the Government of the United States, and from the ancient friendship of the American nation, not doubting that the Government of the United States would appreciate the difference in such cases, between answering an interpellation, and preventing, by a spontaneous determination, by explanations readily offered, a misunderstanding always to be regretted.

The amendment of the Chamber of Deputies is conceived in the same spirit of reserve and conciliation. It does not make it the duty of the French Government to ask for explanations; it merely supposes it will receive them.

We were not mistaken, sir, in believing that the Government of the United States would appreciate that difference, since Mr. Livingston, as he himself observes, hastened as early as the 29th of January last, when the message of President Jackson had been only known a few days; to offer us explanations at great length, of every passage of that message which treated of the relations between the United States and France; and since, that step and the explanations contained in his note of the 29th of January has received, as he informs us by his note of the 25th of April, the entire approbation of the President.

Mr. Livingston was not astonished that those explanations, as long as they were presented only upon his personal responsibility, did not produce upon us the effect he intended; but he supposes that being now clothed with the approbation of the President, they must satisfy all that the nicest sense of national honor could desire.

He therefore makes it a point in his note of the 25th, to repeat and to develop them, in the hope that the French Government, by examining them anew, under the impression that they had become the expression of the sentiments of the President, would deem them sufficient. He is so much the more anxious to impart to his own conviction on this subject, as he deems it impossible for the Government of the United States to go any further. He even seems to be apprehensive that future events which he need not specify, designating thereby no doubt the adoption of the amendment of the Chamber of Deputies by the other two branches of the Government, may hereafter render improper any allusion to explanations presented under the influence of different circumstances.

We sincerely wish, sir, not to add to the difficulties of the situation in which the two countries are respectively placed. The question of date, to which Mr. Livingston seems in this case, to attach an importance which it belongs not to us to appreciate, does not in any way alter either the nature or the extent of the duties which are prescribed to us.—If satisfaction had really been given to the just susceptibility of the French nation, as early as the 29th of January, (the date of Mr. Livingston's first note,) and therefore previous to the adoption of the amendment under consideration by the Chamber of Deputies, or as early as the 27th of April, (the date of Mr. Livingston's second note,) that is to say, before the adoption of this same amendment by the other two branches of the Legislature, we would be sincerely gratified. The more the Government of the United States would have shown a willingness to explain itself, the more we should be ourselves disposed to find the explanations satisfactory, and to view the solicitude of that government as a testimony in favor of the intentions which had dictated the message of the President.

We will simply observe, before we proceed:

First, that even supposing the explanations, given by the note of the 29th of January, to have been such as we might have wished them, they were, on the 18th of April, the day of the passage of the amendment in the Chamber of Deputies, nothing more than the simple expression of the personal sentiments of Mr. Livingston. This is an observation which did not escape his notice.

We will also observe that by the publication of Mr. Livingston's correspondence, the Government of the United States had excited against him such a feeling of irritation, that it would have been out of our power, even supposing that we had considered that correspondence as containing nothing but what was right and proper, to avail ourselves of a document bearing his signature, to repeal in one or the other of the Chambers, the amendment under consideration.

I will now proceed to the examination of the explanations which have been offered to us.

Mr. Livingston is right in thinking that our objections to the message of the President are confined to these two points.

1st. The message impeaches the good faith of His Majesty's Government.

2d. It contains a threat to secure the execution of the treaty by the fear of reprisals.

It is indeed under this point of view that the message of President Jackson excited in France the greatest indignation. The Cabinet of Washington will readily admit that if the allegation were true, the indignation would be just. No government, no people, could for one moment bear without degradation either the direct or indirect imputation of a want of good faith, or the idea of another government or another people endeavoring to obtain from it through menace what could only be granted by it to justice. It must equally be admitted that when the impression produced by the appearance of any document is general; when that impression is felt, not only by the whole nation whom the document concerns, but even by foreigners, by uninterested people, by persons the least disposed to take a part in the contest, the very universality of that impression is a sufficient evidence against the general tenor of the document.

If we examine in detail the message of the President of the United States, (I mean that part of it which relates to the relations between the United States and France,) it will possibly be found that passing successively from phrase to phrase, none will be met with that cannot bear an interpretation more or less plausible; none, of which, strictly speaking, it cannot be said that it is a simple expose of such or such a fact true in itself, or the assertion of such or such a right which no one contests, or the performance of such or such an obligation imposed on the President by the very nature of his functions. There will certainly be found several in which the idea of impeaching the good faith of the French Government, or of acting upon it through menace or intimidation, is more or less disavowed.

Yet when the whole succession of facts is taken into view, when we perceive the care which seems to have been taken to present them in an unfavorable light, without making allowance for circumstances which explained them, without paying any regard to considerations which the Government of the United States itself had previously admitted; when we see at the end of this interrupted series of allegations, which have the appearance of wrongs, for the sole reason that they are made to rest on isolated and incomplete statements, the unexpected proposition, the extreme proposition to say the least, to seize upon French property, it is impossible at first view, it is even difficult after reflection, to escape the thought that all this part of the message had been written for the double purpose stated above.

It is not so, however; at least we hope it is not.

But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, this or that allegation, this or that expression; we contend about the intention itself, which has dictated that part of the message. If it be true that the President of the United States, in presenting to Congress a statement of the facts connected with the treaty of the 4th of July, had no intention to cast any doubt on the good faith of the French Government; if it be true that the President of the U. States, in proposing to Congress to decree the seizure by force of arms, of French property, had not the intention to assume, with regard to France, a menacing attitude, we cannot see how he could find any difficulty in declaring it.

Is such a declaration really contained in Mr. Livingston's note, addressed to the French Government on the 29th of January, or in that which the same minister left at his departure on the 27th of April?

We would be equally at a loss to affirm or to deny it; and for this reason it is evident that neither the one nor the other can be considered sufficient. The note of the 29th of January is intended to discuss, contradictorily with the French government, the correctness of facts asserted in the message of President Jackson. It is intended to prove that the view taken by him of these facts is at least plausible. It is in the midst of this long disquisition that two or three phrases are incidentally thrown out, on the just confidence which the government of the United States has always entertained in the sincerity of the French Government; confidence which Mr. Livingston had always made it a duty to foster, and which according to him, is not in contradiction with any of the ideas or allegations expressed in the message. The note of the 27th of April, is chiefly intended to make an indirect and anticipated examination of the amendment introduced by the Chamber of Deputies. While upon this examination, and with a view to prove that any demand for explanations would in future be useless in fact and inadmissible in principle, Mr. Livingston refers to the testimony given by him in his first note, to the good faith of the French Government; he refers to the subsequent sanction given by the President to the contents of that note; he dwells on the paragraph of the message of the President, in which all idea of threat is, he says, expressly disavowed.

You will easily conceive, sir, and the Cabinet of Washington will, we think, understand it also, that such phrases incidentally inserted in documents, the purport and tenor of which are polemical, and surrounded, in some measure, by details of a controversy which is besides not always free from bitterness, cannot dispel sufficiently the impression produced by the perusal of the

message, nor strike the mind as would the same idea expressed in terms simple, positive, direct, and unaccompanied by any recriminations concerning facts or incidents no longer of any importance. Such is the motive, which, among many others, has placed the French Government in the impossibility of acceding to the wish expressed by Mr. Livingston, towards the conclusion of his note of the 25th of April, by declaring (to the Chamber of Peers probably) that previous explanations given by the Minister of the United States and subsequently approved by the President, had satisfied it.

The impression produced by the perusal of the message was deep. It was so in France, in Europe, and even in the United States; the debates in Congress, and public notoriety sufficiently prove the fact. Under the weight of this impression, the French Government did not hesitate to place itself in a situation to meet the engagement contracted in the name of France. In pausing there for the present, and waiting for the fulfilment of those engagements to be claimed, or expecting them to be claimed, in terms consistent with the regard which is its due, it is not afraid of being accused, nor France which it represents, of being accused of appreciating national honor by any number of millions which it could withhold, as a compensation for an injury offered to it. Mr. Livingston is the first to repel such an idea. Far from it; the French Government will consider as a fortunate day, the one in which it will be able to deliver up honorably the trust that lies in its hands. But each state has duties to perform towards itself—each situation has its exigencies. Mr. Livingston objects to the idea of seeing the President of the United States give a new testimony to the good faith of the French Government, lest such a step, reasonable and just in itself, should not appear to be exclusively dictated by justice and by reason. He will not be astonished if the French Government, on its side, attaches an equal importance, to show that in acknowledging openly a legitimate debt, and declaring itself ready to discharge it, it has exclusively consulted reason and justice.

You are authorized, sir, to read the present despatch to Mr. Forsyth; and, if he desires, let him take a copy of it.

Accept, sir, &c.
(Signed) V. BROGLIE.
LEXINGTON.

SATURDAY, FEB. 6, 1836.

CITY CHARTER.

Some of the friends of this oppressive tyranny are charging that there are many names signed to the petition for a repeal, of persons who are not entitled to the rights of citizenship, from non-age, non-residence, or some such cause. The whole number of signers is nearly six hundred and fifty. We suppose there may be some of them who are liable to objection, although great care was taken to exclude all such when the signatures were applied for. The list can be examined and all such stricken out, and we have no doubt there will remain at least six hundred legal voters of the city.

We call upon those who are assailing the list of petitioners, to make up one of their own, in opposition to it. Let them turn out and call upon all the office holders and expectants, and we predict that they cannot muster one third that number of legal voters. Come out gentlemen and try.

We have been informed, upon such authority as to leave but little doubt of its truth, that several wagons in the vicinity of Lexington, have been mutilated, for the purpose of preventing their owners from hauling fire wood to the City! If this is true, what does the perpetrator of such diabolical acts deserve? The villain who would cut a hose, or destroy an engine during the raging of a fire, would not deserve greater reprobation, than he who would wantonly stop the supply of fuel, by which hundreds might be frozen to death. We would hope those acts have been the mere effect of thoughtless frolic, without serious reflection.

In our last, we gave the Act of Assembly, amending the Charter of the City of Lexington, and now wish to draw the attention of our readers to it, by a slight review of its most prominent features. If we understand the provisions of this act aright, the Legislative and Executive powers of the Mayor are withdrawn, and he retains only Judicial powers—that the privilege of choosing the Mayor by the citizens of Lexington, is taken from them, and that officer appointed by the Governor; and a life estate to the office and salary of \$500 per annum.

That the Councilmen elected by the citizens, shall choose by ballot one of their own body, as President, and allow him such salary as they may deem proper, which shall not be reduced during the term for which he may be elected. That the President of the City Council shall exercise all the Legislative and Executive powers and enjoy the privileges heretofore granted to the Mayor.

That the City of Lexington shall pay annually into the public Treasury, the sum of \$500!

That no licence shall be granted for keeping a Coffee House, Victualing House, or house for retailing spirituous and other liquors, except on the payment of at least \$100.

By an examination of the 'amendment' as compared with the original act of incorporation, it will be seen that the changes in our City Charter are fundamental, whether for better or worse, we leave it to our readers to determine. So thorough has been the reformation or rather deterioration, that all that in fact remains of the former charter, consists in a few names, such as City of Lexington, Mayor, Marshal, &c. It is true indeed that the worthy title of Mayor is still allowed to hold its place. But it is the name only that remains, *vox et preterea nihil*. He is no longer elected by the people—the tenure of his office is during life—his powers and privileges are essentially different from those asked for by the petitioners for the Corporation. Then we may well ask, by whose intervention or influence has this radical change been effected? Was there a man, who in voting for Mr. Davis at the election on the first Saturday

of January, for a moment supposed, that that vote would by legal enactment entail him upon the city for life? We answer, not one. And at the same election, in voting for Councilmen, who supposed, that one of them was by law to be made Chief Executive Officer of the City with a salary of \$200 per annum? Again we answer, not one. Was it the wish of the citizens as expressed either by petition or delegates that such a change should take place? assuredly not.—It is evident then that some side-wind agency, some vile, clandestine working has been at the bottom of the nefarious imposition that has been foisted upon the people of Lexington. By whom, or when, or where, the plan has been concocted and put into execution, we will not undertake to say, but it is notorious as the Sun at noonday, that there have been some agents, who have secretly paved the way for its passage through the Legislature.

According to the Constitution, the Judges shall receive their salaries from the public Treasury; but Lexington unlike any other Judicial District, must pay the salary of her Judge into the public Treasury. Some expense in transport to and from the Treasury might be saved, by paying the \$500 here, without the trouble of sending it to Frankfort. But this is a trick, too low for honorable men, to make an act literally constitutional, which in spirit and essence is not so.

There is one point remaining of this amendatory act, which may be well termed 'an amendment with a vengeance' and only one to which we will at present briefly advert.—It certainly presents an anomaly in the penal code, at least of the United States. It provides that the President of the City Council shall be paid out of the fines exacted, thereby making crime absolutely essential to secure the reward of his labours!! This is neither more nor less than holding out a premium to the fomenting of strife and the spirit of vexatious, frivolous and expensive litigation. Now we do not say that this will absolutely be the case during the incumbency of the present Hon. gentleman, but it must inevitably be the case, should some knave, who prefers the filling of his purse to the public peace and happiness be chosen to the office. If the delegation from this County have obtained the passage of this amendatory law, such as we see it, uninstructed and unconsulted, to them belongs the merit sole and undivided. But if they have been called on and requested to get the alteration made, by one or more individuals, then those who gave the instructions, on making it known shall receive all the honors to which they are entitled for their magnanimous and disinterested act.

The Legislature of Kentucky, unasked by the community whose interests were to be affected, but owing to some application no doubt, have promptly passed the amendatory law. The same Legislature is now asked, by a respectful petition, signed by seven eighths of the voters of Lexington, to repeal the City Charter. Will the same promptitude again mark its course?

We take occasion to say that our remarks have no personal allusion to the gentlemen who have been legislated into the two highest offices in the City. For both of them we have the highest respect and regard. But we do protest against the assumption to regulate the rights and privileges of the City, by any power but its own citizens.

A SPECIAL MESSENGER, with despatches from the British Government, arrived at Washington on Tuesday the 26th January. It was currently reported that its import was, to offer the mediation of Great Britain as to the differences between France and the United States.

The Rail Road Bill still continues under the attention of the Legislature. The amendment of Mr. Wickliffe for striking out Cincinnati and inserting Maysville, was lost in the House by a vote of 46 to 50. And the amendment of Mr. Trapnall making Lexington a point in the work, was carried by a vote of 66 to 30.

CONGRESS.

In the House of Representatives, Jan. 22d the whole day was occupied in rather a boisterous kind of discussion, arising out of a resolution submitted by Mr. Adams, importing, that so much of the President's message as relates to the failure of the fortification bill, be referred to a select committee, with instructions to inquire into and report to the House the cause of its failure. Mr. Adams supported his resolution in a speech of great length and power, and contended that its failure was not caused by the H. Representatives.

Mr. Wise followed and undertook to prove that its failure was not to be charged upon the House, or Senate, but upon Mr. Cembreleng, Chairman of the Committee of Conference on the part of the House.

In the Senate on the 27th, a bill was brought in making an additional appropriation for the suppression of Indian hostilities, which was referred to the Committee on Finance. On the same day the Senate also proceeded to consider the resolutions, offered by Mr. Benton, appropriating the surplus revenue for the purposes of national defence.

A gentleman arrived in this city yesterday evening from Washington, with whom we have been conversing, informs us, that the highest indignation prevails in that city towards Mr. Calhoun, since the delivery of his French Speech, and that it was currently reported he would be burnt in effigy the day after his departure. He also states that the Administration never was more popular.

CITY SCHOOL.

We regret that circumstances prevented our attending the examination of the pupils of this Institution on the 28th and 29th ult., which we understand was a highly interesting one, and did great credit to the Principal, Mr. Gayle, and to the other Teachers of the School.

The number received into the School in the course of the session was, as we have learned, a little upwards of two hundred; about half of whom are the children of the poor, who are educated at the public charge—the remainder being the children of our wealthy citizens. Many

of the pupils, we are pleased to learn, are far advanced in useful knowledge, and are likely to become as business men, valuable members of society.

Caleb J. Sanders, Wilson Grady, Wm. Sidenor, Hamilton Atchison, Jr., John P. Innes, Robert Carrick, Wm. G. Sanderson, David Glass, Esq., and S. Pilkington. Omitted in the original publication of Delegates to Frankfort on the 22d instant, a part of the list having been mislaid.

In many of the opposition prints we have observed complaints long and loud, against the Post Office Department, for the failure of mails, without any apology or explanation of the cause—yet in other columns of the same papers, the readers are informed that ice has rendered the rivers impassable, and snow storms have so blocked up the roads, that travelling is impossible. This is like blowing hot and cold with the same breath. A more sufficient, or a better exculpation for any irregularity that happens, could not easily be found than what those same gentlemen publish.

We publish to-day the remaining documents accompanying the President's Message, together with the suppressed letter of the Duke de Broglie, and the Globe's reply. We refrain from making any comment, leaving it to our readers—now that they have a full view of the question—to draw their own conclusion. But we think we would not be hazarding too much in saying, that ninety-nine out of every hundred of those whose minds are unsophisticated by the perverse glosses of those factious revilers, whose maxim seems to be to oppose all things that have any connection with the Administration, however justly they may be called for by the exigency of the country—will give to the Executive their most unqualified approbation.

We understand from a gentleman just arrived from Frankfort, that the Charleston, Cincinnati, Louisville and Lexington Rail Road Bill has passed the House of Representatives. Of its special provisions, we are not yet apprized.

General Ewing, Senator from Illinois, has indignantly repelled the charge of his being tainted with Whiggery.

A large meeting has been lately held at Cincinnati, at which, resolutions were passed condemnatory of the course of the Abolitionists.

The House of Assembly of New Jersey have passed resolutions, approving in every way the conduct of the President in reference to France, and instructing their Senators and Representatives in Congress to support every measure necessary to increase our naval force, and put our sea-board in a complete state of defence.

TO THE CITY OFFICERS.

Gentlemen:—From last Saturday's Gazette, I observe you have got pretty little fat births of it—\$5,686, besides fees, say two or 3000 more, among a dozen or a dozen and a half of hungry maws, is no bad grab. No wonder that you and your friends, (by the bye a lean minority of the citizens,) cry hurrah for the charter!—for you must certainly fatten under such a blessed order of things. No wonder you were panic struck at Judge Hickey's decision—you saw want and misery staring you in the face, and raised the cry of "support good order and morals—amend the charter—get a police judge.—You persuaded us that the supporters of the charter were the friends of order—you kept us in the dark (and still try to do so) as to the particulars of your expenditure. Some person has taken the trouble to throw some light on it, and a pretty business it is—it would appear you pocket the small sum above noted, which is about ten dollars for every vote in the city, or upwards of one dollar for every man, woman and child, white and black, within the city limits. Your whole expenditure is nearly thirty dollars a voter, or upwards of three dollars ahead for each inhabitant. I think with Dr. Franklin that this is paying dear, too dear for the whistle.

Pray, if you are not too busily engaged in ferreting out causes for his honor, the newly made Judge, to bring grist to the mill—of the Marshal, Clerk, &c. &c.—be so kind and condescending as to inform us, the poor tax payers, what came of the butter seized from county people last year? Who pocketed the fines of negroes last year? Was there no balance due from or to the city in 1834? What has become of the rail road dividend made last summer? What is the amount of the city liabilities at this present time? It certainly is but fair that we should know this—and but common

honesty that you should account for your intrusions some way or other.

TAX PAYERS.

Further advices from Florida.—Yesterday the schooner S. S. Mills, Captain Southwick, arrived from St. Augustine, bringing the St. Augustine Herald of the 13th instant, and the schooner George and Mary, Capt. Willey, also arrived, from St. John's (Florida,) by which vessels we received the Jacksonville Courier of the 14th inst. from which we have made some extracts.

We learn from Mr. Forrester, a passenger in the S. S. Mills, that the Indians were within fifteen miles of St. Augustine, which was guarded when he left, by only about seventy men, capable of bearing arms; and that had the Indians made a descent upon it, in force, there is little doubt but that they would have succeeded in their attack. The succor they would receive, however, by the John Stoney, of troops and arms, would render that place secure.

Capt. Willey informs us, that when he was at Jacksonville, he proceeded up the St. Johns to Mandarin, to effect the removal of the sch. Motion, which vessel was lying there dismantled, and it being feared that she would be destroyed by the Indians, who were said to be in the vicinity. On his arrival at Mandarin, he found the Motion filled with men, women and children, black and colored, to the number of 130, who had fled to her for safety, with the intention, if the Indians came, to defend themselves, until the vessel could be brought down the river. At the solicitation of the persons on board, Capt. W. allowed the schooner to remain, until they could erect a fort, so that they could protect themselves.

A company of 55 U. S. troops, raw recruits arrived at Jacksonville about the 8th inst., from New York, but they were entirely unprovided with arms, ammunition, or provisions. They were, however, supplied with the former, out of the quantity taken on from here by Captain Willey; and provisions had been obtained from Picolata.—*Charleston Courier*, Jan. 19.

We understand that Major General Scott was ordered last week to Florida to take the general direction of the operations in that quarter; and with full authority to call upon the Executives of South Carolina, Georgia, Alabama and Florida, for whatever militia force may be necessary. He has been directed to push the campaign in the most vigorous manner, and to reduce the Indians to unconditional submission.

We further learn, that the disposable regular force, which can properly be moved, is either in Florida or on the way. The garrisons on the sea coast have either been sent there, or have been reduced to the smallest practicable number.—Circumstances have rendered necessary the removal of the 6th regiment from Jefferson Barracks to the Mexican frontier, and Gen. Gains has been ordered to proceed there to take the command in that quarter.—*Globe*.

CUMBERLAND FORD, Ky. Jan. 25, 1836.
MESSRS. FINNELL & WICKLIFFE,
As it may interest some of your readers to know the quantity of stock passing this road to the southern market in the year 1835, I give you a list below: Your obedient servant,
JAMES RENFRO.

Horses	4716	prob. val. in market	\$533,360
Mules	1951	do do do	151,000
Sh'd Beef	2485	do do do	104,370
Steals	2887	do do do	18,000
Sheep	1320	do do do	3,350
Hogs	69187	do do do	1,087,503
			\$1,698,512

LOUISVILLE, Jan. 30.

We were congratulating ourselves during the first part of last week, with the thought, that old Winter had wrapped himself up in fur, and taken his departure for the north rather earlier than usual; but if he had started he soon turned his course, and paid us, during this week, quite a rough visit: the river is entirely blocked above Cincinnati, and the Swifts and Clinton got down on Thursday with difficulty. The weather however moderated yesterday, and we think that the river will not remain long impeded.

REVIEW OF THE MARKET.

Bagging and Rope.—We understand some considerable transactions took place in these articles last week, of which, although we applied for it, we received no information. We have no other source from whence to obtain it: we wish to make the Price Current a useful paper, but we cannot do it without their assistance. There is nothing done in the article this week.

Coffee.—There has been considerable receipts of this article, 683 bags, but we hear of no sales of consequence, or any alteration in our last prices.

Sugar.—The importation is increasing: some small sales have been effected at 10 1/2 cents cash.

Pork.—We do not hear of any thing doing in this article this week of consequence, prices as per quotations.

Flour.—No transactions of consequence in this article. We still quote from \$7 00 to \$7 25 as the nominal price.

Whiskey.—Is arriving briskly, and sells readily at from 43 1/4 to 44 from wagons, 44 to 45 from stores. Shipped 167 bbls.

Tobacco.—The receipts of this article are increasing. 106 hds. were received at Todd's warehouse during the week; some prime hds. brought from \$7 00 to \$6 50—much however has not been shipped.

We know of no other articles we can say any thing about this week. The cold weather has rendered business uncommonly dull.—*Price Current*.

TEMPERANCE ADDRESS.
Rev. EDWARD STEVENSON, will deliver an Address on the subject of Temperance, in the Methodist Episcopal Church, on Sunday evening next, 7th inst. at 7 o'clock. The citizens and public generally are respectfully invited to attend.
Lexington, Feb. 2, 1836.

SIR LOVELL,
Twelve years old this grass—a beautiful blood bay, black mane and tail,
BY DUROC.
PEDIGREE.
THIS distinguished edracer was bred by Samuel Puddy Esq. of New York and foaled in May, 1824; he was got by Duroc, sire of Eclipse; his dam by the imported horse Light Infantry, his grandam by old Messenger, his great grandam by Bashaw, his g. g. grandam by True Briton, his g. g. g. grandam by Sterling.



PERFORMANCE.
On the Union Course, L. I., when 3 years old, Sir Lovell ran a match against a Diawidie Colt of C. R. Collett's, three mile heats, and won, distancing his antagonist;—when 4 years old he won the two mile sweepstake, over the Union Course, L. I. beating five good horses. In the fall of the same year he was trained again, and ran for the \$300 purse, two mile heats, over the Poughkeepsie course, which he won with ease, beating Hotspur, Timoleon, and a number of other celebrated horses. The night following, his groom foundered him— notwithstanding, on the last day of the same month, (October) he won a sweepstake, 3 mile heats, over the New Market Course, L. I. beating Grey Roman (out of Ariel's dam) and many others. In the winter following, he was to be delivered to him on the 1st of April, in covering condition—the contract not having been made good on the part of the purchaser, he was again put in training and commenced walking. On the 1st of April, at the time he commenced training, he was very fleshy— notwithstanding, on the 13th day of May following, he was entered for the \$400 purse, three mile heats, which he won with ease, carrying 132 lbs. beating the famous mare Ariel, Isachlor and Yankee Maid—time, first heat 5m. 47—second heat 5m. 55s. Taking into consideration the very short time he had been in training (one week), this race was considered as one of the best ever run on Long Island, and at once stamped SIR LOVELL as a first rate race horse. In the ensuing week, he ran with Ariel for the \$500 purse, four mile heats, at Poughkeepsie, where he won the first heat in great time, 7m. 50s. considering the state of the course, which was very heavy—the second heat he led the mare and three quarter miles, when he passed him and won the heat—he was then withdrawn. There was no jockeying at the time; it was owing to his want of sufficient training that he lost the race. Two days afterwards, over the same course, he took the \$200 purse—two mile heats—beating Lady Hunter, Maryland Eclipse, and Malton—time, first heat 3m. 51s., carrying 132 lbs. This is great time, considering Lovell ran eight miles two days previous, but it was soon forgotten in his superior and almost unequalled time, time of the second heat—which was contested inch for inch in the most spirited style by Sir Lovell and Lady Hunter, and won by Lovell in 3m. 46s.—When it is known that the horses carried six-year-old weights, this heat will doubtless be recorded as one of the quickest in the annals of racing. In the following week, he ran a Match Race of two mile heats, over the Union Course, L. I., for \$6,000, with the well known mare Ironette, in which he won the first heat in 3m. 45s. and in the next, won his opponent in 3m. 45s. Thus running four races in the short space of two weeks and only losing a single heat—further comment is unnecessary.

Puffing has become so common with persons who have horses, that I deem it a disgrace to add horse to say more than what is recorded in the Sporting Registers concerning them, for which, as to SIR LOVELL, the public is referred. Lovell will stand at my stables on the Tates' creek land in Jessamine county, 8 miles from Lexington and five from Nicholasville. Owing to the great number of horses in Kentucky, Lovell will be let to warren at the reduced price of 30 dollars, which can be discharged by 25 dollars if paid in the season. The season will commence on the 10th of March, and end the 1st of July. All possible care taken with Mares from a distance, but no liability for accidents or escapes. Good pasturage, and grain fed at a small price.
P. E. TODD HUNTER.
Jessamine County, Jan. 30, 1836—5—1st June.

NEW AND POPULAR BOOKS,

JUST RECEIVED BY THE SUBSCRIBER.
LIFE of Sir James McIntosh, 2 vols
Life of Sir Walter Scott, by Allen
Poetry of Life, 2 vols
The Union Tales, 2 vols
Paul Pry's Comic Sketch Book
The Partisan, 2 vols
The South West, by a Yankee
Slight Reminiscences of the Rhine
Miss Sedgwick's Tales and Sketches
Rambler in North America
Letters from the South, by Paulding
Hall on the Loss of Blood
Dwight's Theology
Beauty of Female Holiness
Chronicles of Gotham
Rose Hill, or tale of the Old Dominion
Remarks on Homopathy
Clark on Consumption
Gerhard on diseases of the Chest
God's Study of Medicine; new ed.
McIntosh's Practice; new ed.
Beck's Medical Jurisprudence
Dr. Calk's Bible
English Annals
Young Ladies' Book
Young Artist.—Magolia
Oriental Annual
Language of Flowers—and some others.
Cheapside, Lex. Ky. Jan. 23, 1836 3-4

WANTED,

A SITUATION for a man with a small family, well qualified for business, either as a Clerk or Superintendent of a Hemp Factory. Suitable recommendations can be produced. Call immediately at this office.
Lex. Jan. 19, 1836—3-4

GRAND CONSOLIDATED LOTTERY—Extra Class 5 for 1836.
To be drawn at Wilmington, Monday, February 27, 1836.

CAPITALS.
TWENTY THOUSAND DOLLARS!
20,000 dollars—3,000 dollars—3,000 dollars—2,000 dollars—1,640 dollars—10 prizes of 1,000 dollars—10 of 500 dollars—20 of 300 dollars—20 of 150 dollars—155 of \$100, &c.
Tickets only Five Dollars.

A certificate of a package of 25 whole tickets will be sent for 65 dollars. Packages of Halves, Quarters, and Eighths, in proportion.
Orders for single tickets or Packages must be addressed to
S. J. SYLVESTER,
130 Broadway, N. Y.

CLOVER AND TIMOTHY SEED.
200 BUSHELS Clover Seed,
100 do. Pennsylvania Timothy Seed—*for sale*.
MONROE & CORNWALL.
Jan. 8, 1836—2-2m

